

1 THE HONORABLE JOHN C. COUGHENOUR

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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 UNITED STATES OF AMERICA,

CASE NO. C20-0166-JCC

10 Plaintiff,

MINUTE ORDER

11 v.

12 MANUEL CHAVIRA *et al.*,

13 Defendant.
14

15 The following minute order is made by direction of the Court, the Honorable John C.
16 Coughenour, United States District Judge:

17 This matter comes before the Court on the parties' stipulated motion regarding the
18 priority of a deed of trust, dismissal of a defendant, and non-participation of a defendant (Dkt.
19 No. 9). The Court hereby GRANTS the motion and ORDERS as follows:

- 20 1. The parties stipulate that Defendant Select Portfolio Servicing, Inc. ("SPS") is the loan
21 service provider on behalf of beneficial interest holder Deutsche Bank National Trust
22 Company, as trustee, in trust for registered holders of Long Beach Mortgage Loan Trust
23 2005-WL3, Asset-Backed Certificates, Series 2005-WL3 of a promissory note secured by
24 a deed of trust recorded in the King County property records as #20050719002753 on
25 July 19, 2005, encumbering 11226 SE 235th Pl., Kent, WA. The parties further stipulate
26 that the deed of trust was assigned to the trust by an assignment recorded on January 10,

2020, as #20120110000613.

2. Pursuant to the parties' stipulation, the deed of trust recorded in the King County property records as #20070615002794 is superior to Plaintiff's lien rights asserted in this action. To the extent any foreclosure sale is ordered by the Court, the deed of trust will either (a) be paid off first from any sale proceeds before any other distributions, attorney fees, or costs are paid; or (b) the winning bidder at such sale will take the property subject to the deed of trust.
3. All claims against Defendant Deutsche Bank National Trust Company are resolved. Deutsche Bank National Trust Company need not respond to Plaintiff's complaint or otherwise participate in this action.
4. SPS is hereby DISMISSED from this lawsuit with prejudice and without an award of attorney fees or costs to any party.

DATED this 13th day of February 2020.

William M. McCool
Clerk of Court

s/Tomas Hernandez
Deputy Clerk